

2002P11061WOUS

THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application
PCT/DE2003/002674 filed August 8, 2003
Rudolf Bierl, et al
Serial No.: 10/526,316
First Submission Filed: February 24, 2005
DEVICE AND METHOD FOR CALIBRATION
OF A MASS FLOW SENSOR

CERTIFICATE OF MAILING ON LAST PAGE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
AND SUBMISSION OF SURCHARGE FEES, TRANSLATION, PRELIMINARY
AMENDMENT AND SIGNED DECLARATION

In response to the Office Action dated August 11, 2005, copy enclosed, respectfully submitted herewith is the signed and dated Combined Declaration of the inventors (3 pages) or a true and accurately believed copy thereof in compliance with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR 1.497(a) and (b), identifying the application by PCT International application no. and international filing date and with power of attorney.


Respectfully presented is also the English translation (7 pages) which is believed to be an accurate translation of the PCT/DE03/002674 application as originally filed in the German language. This translation is requested to be used as the copy for examination purposes in the Patent Office along with the simultaneously submitted Preliminary Amendment which deletes the form of all multiple-dependent claims so multiple-dependent claims do not exist in this application.

The Preliminary Amendment includes an Abstract on a separate page to be entered simultaneously with the filing of all papers and before calculation of claim filing fees.

Attached is check no.16321 in the amount of \$260.00 (namely, \$130.00 for the processing fee for providing the translation later than 30 months from the priority date (37 CFR 1.492(f)), and \$130.00 for late but timely filing of the Declaration).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to deposit account no. 06-0105.


Respectfully submitted,
Rudolf Bierl, et al

by: 
MARTIN A. FARBER
Attorney for Applicants
Registered Representative
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), signed Declaration (3 pages), English Translation, Preliminary Amendment and check No. 16321 \$260.00 surcharge fees are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2005.

Dated: October 28, 2005


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11/07/2005 GFREY1 00000042 060105 10526316
01 FC:1617 130.00 GP
02 FC:1618 130.00 GP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/526,316	FIRST NAMED APPLICANT Rudolf Bierl	ATTY. DOCKET NO. 2002P11061WOUS
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INTERNATIONAL APPLICATION NO.

PCT/DE03/02674

I.A. FILING DATE 08/08/2003	PRIORITY DATE 09/12/2002
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Martin A. Farber
866 United Nations Plaza, Suite 473
New York, NY 10017

DUE: Oct. 11, '05

CONFIRMATION NO. 3566
371 FORMALITIES LETTER



Date Mailed: 08/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/24/2005
- Copy of the International Search Report filed on 02/24/2005
- Oath or Declaration filed on 02/24/2005
- Request for Immediate Examination filed on 02/24/2005
- U.S. Basic National Fees filed on 02/24/2005
- Priority Documents filed on 02/24/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,316	PCT/DE03/02674	2002P11061WOUS